

## NURSING BOARD[655]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code sections 17A.3 and 147.76, the Board of Nursing hereby gives Notice of Intended Action to amend Chapter 3, "Licensure to Practice—Registered Nurse/Licensed Practical Nurse," Iowa Administrative Code.

These proposed amendments require applicants for licensure with a criminal conviction history to submit court documents to the Board of Nursing for review. The proposed amendments also remove the Board's renewal notification process by mail and provide for online license renewal.

Any interested person may make written comments or suggestions on the proposed amendments on or before July 21, 2009. Such written materials should be directed to the Executive Director, Iowa Board of Nursing, RiverPoint Business Park, 400 S.W. 8th Street, Suite B, Des Moines, Iowa 50309-4685. Persons who wish to convey their views orally should contact the Executive Director at (515)281-3256, or in the Board office at 400 S.W. 8th Street, by appointment.

These amendments are intended to implement Iowa Code chapter 147.

The following amendments are proposed.

ITEM 1. Amend paragraph **3.3(1)"c"** as follows:

c. ~~Approval by the board of those~~ Board approval of an applicant with a ~~past felony criminal conviction history~~ or a record of prior disciplinary action, regardless of jurisdiction.

ITEM 2. Renumber subparagraphs **3.4(3)"b"(7)** and **(8)** as **3.4(3)"b"(8)** and **(9)**.

ITEM 3. Adopt the following new subparagraph **3.4(3)"b"(7)**:

(7) Submit a copy of a sentencing order(s) with the license application if an applicant has a criminal conviction history.

ITEM 4. Renumber subparagraphs **3.4(4)"b"(10)** and **(11)** as **3.4(4)"b"(11)** and **(12)**.

ITEM 5. Adopt the following new subparagraph **3.4(4)"b"(10)**:

(10) Submit a copy of a sentencing order(s) with the license application if an applicant has a criminal conviction history.

ITEM 6. Amend paragraph **3.5(2)"c"** as follows:

c. An endorsement applicant who has been disciplined by a licensing authority in another state must indicate the jurisdiction of the action(s) when submitting application materials. A copy of all relevant disciplinary documents will be obtained for board review prior to a determination regarding licensure. The board may impose ~~special~~ conditions for licensure ~~if deemed appropriate~~.

ITEM 7. Reletter paragraph **3.5(2)"d"** as **3.5(2)"e."**

ITEM 8. Adopt the following new paragraph **3.5(2)"d"**:

d. An endorsement applicant who has a criminal conviction history must submit a copy of the sentencing order when submitting application materials. The board may impose conditions for licensure.

ITEM 9. Amend paragraph **3.5(3)"d"** as follows:

d. A temporary license shall not be issued to an applicant with a ~~past felony criminal conviction history~~.

ITEM 10. Amend rule ~~655—3.6(17A,147,152,272C)~~, numbered paragraphs “1” to “7,” as follows:

1. No change.
2. The applicant shall provide identifying information, history of ~~felony~~ criminal conviction, history of licensure in another jurisdiction, and reason for special licensure.
3. No change.
4. Board staff shall determine the validity of the request based on the need, duration and location of special licensure identified on the application, and staff shall notify the applicant of ineligibility for special licensure if the application is incomplete, or ~~demonstrates~~ indicates a ~~felony criminal~~ conviction, history or evidence of licensure in another jurisdiction.
5. to 7. No change.

ITEM 11. Amend subrule 3.7(3), introductory paragraph, as follows:

**3.7(3) *Renewal.*** At least 60 days prior to expiration of the license, the licensee ~~shall be notified by mail that a renewal application is available~~ may renew the license online at the board’s ~~Internet address~~ Web site. Renewal applications are also available by mail upon request.